

Application No.
PP-08-07-02
(Preliminary Plat)

Applicant
Smith & Wester, Inc. /
Tippecanoe Business Park – Request
for Extension

Quasi-Judicial

Commission Dist. IV



Community
Development

CHARLOTTE COUNTY

Location Map for PP-08-07-02

Charlotte County Government

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15/40/21 Mid-County

This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guarantees, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is to be used for design. Reflected Dimensions are for informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents. Created By: Land Information-D. Vance 6174 Date Saved: 10/16/2014 1:28:32 PM

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Community
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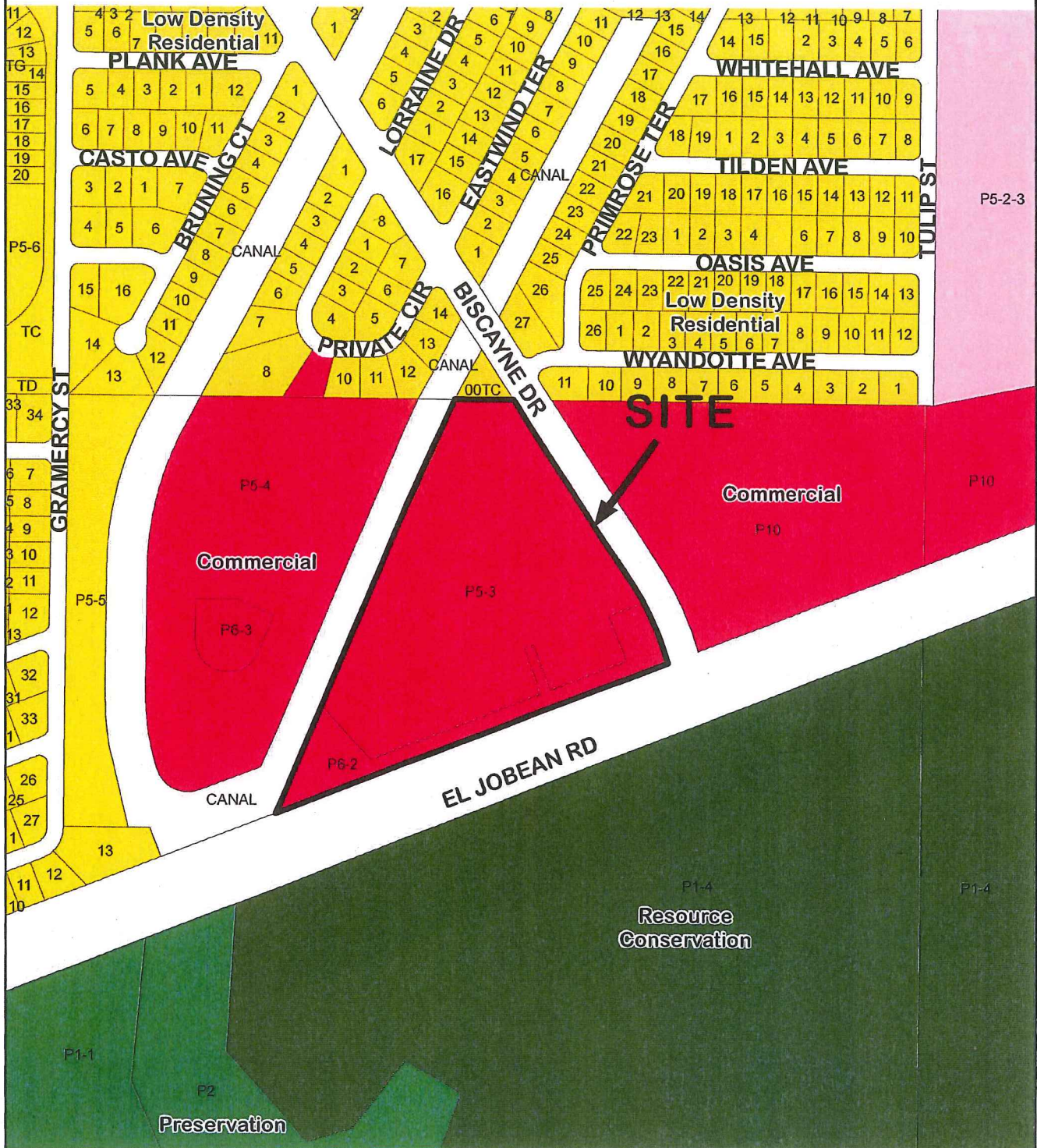
CHARLOTTE COUNTY

Future Land Use Map for PP-08-07-02

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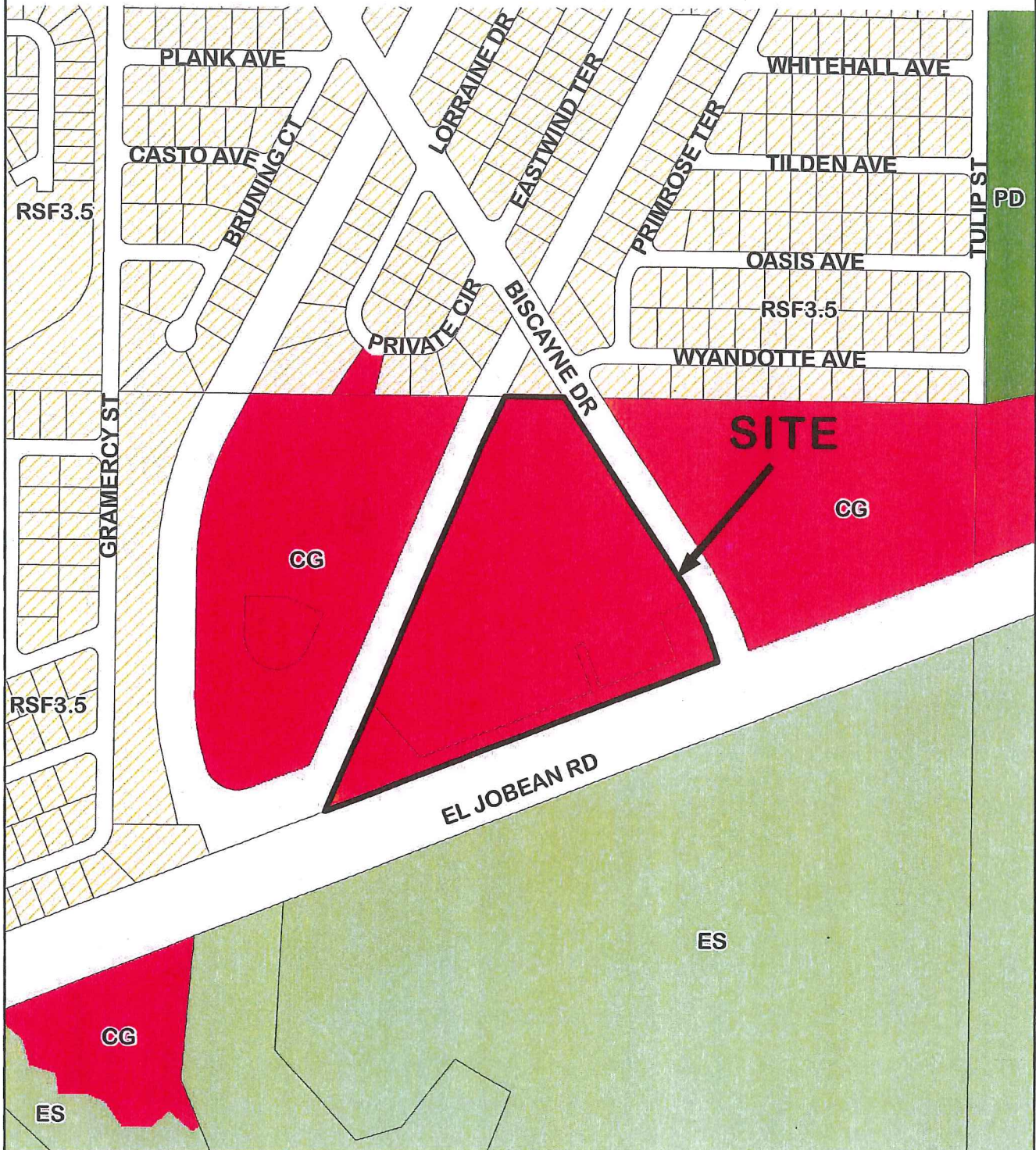
CHARLOTTE COUNTY

Zoning Map for PP-08-07-02

Charlotte County Government

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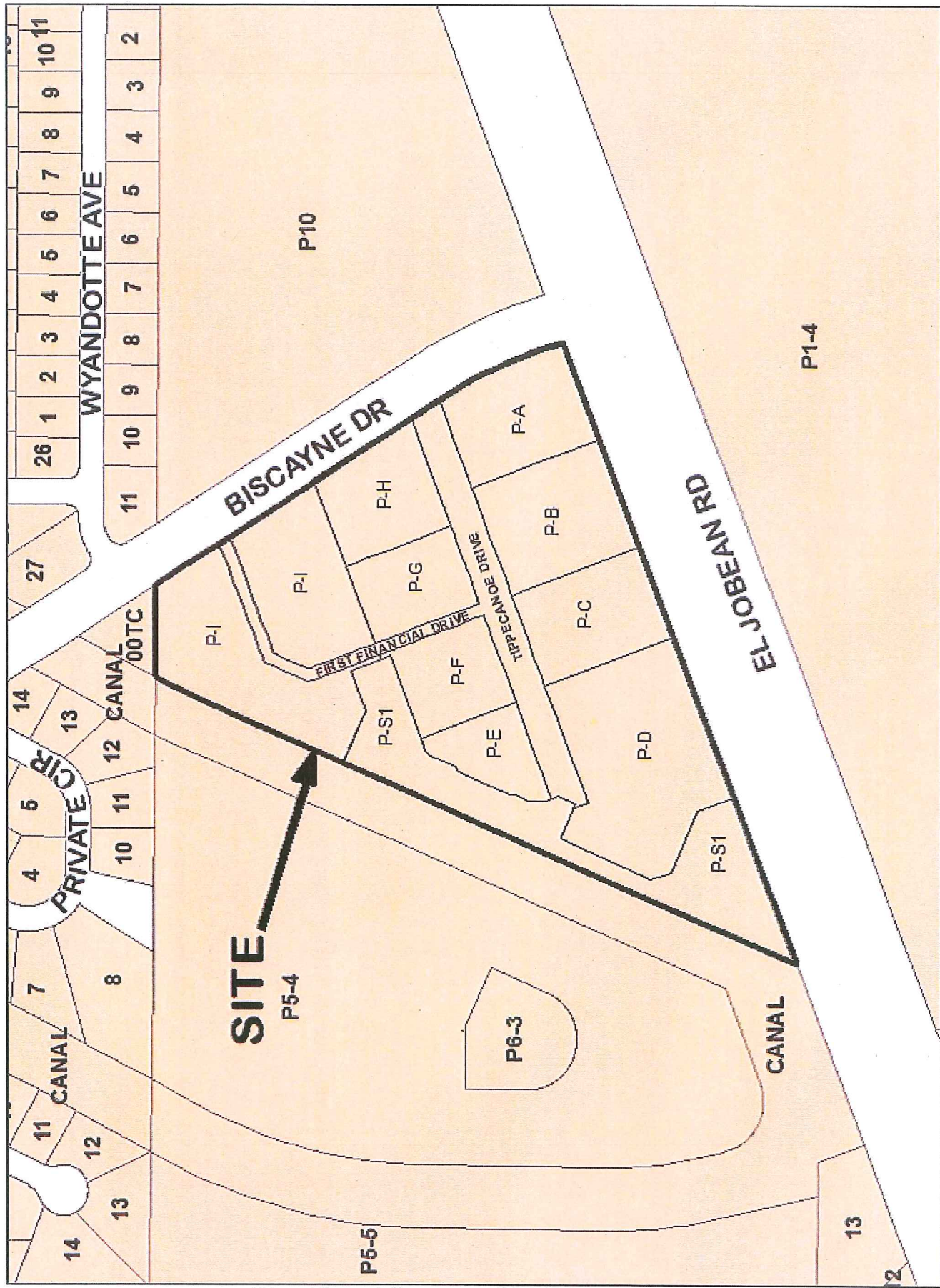
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PP-08-07-02 - Proposed Changes



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MEMORANDUM

Date: November 17, 2014
To: Planning and Zoning Board
From: Steven A. Ellis, Planner II *SAE*
Community Development
Subject: PP-08-07-02, Tippecanoe Business Park
Two-year Extension and Transfer Request

Tamiami Biscayne Properties, LLC is requesting a two-year extension to the Preliminary Plat approval for Tippecanoe Business Park. As the new owners, they are also requesting to transfer the plat into their name. The former owner, Smith & Wester, Inc., was granted Preliminary Plat approval by the Board of County Commissioners on October 21, 2008.

The subdivision, consisting of ten (10) commercial lots is located on 17 acres, more or less, in Section 15, Township 40 South, Range 21 East, southwest of Biscayne Drive, northeast of El Jobean Road, and west of Eastwind Waterway, in Commission District IV.

Charlotte County Code Section 3-7-33, **Limit of Approval**, states, "The Preliminary Plat approval shall be voided if construction work is not substantially completed, as determined by the county engineer, within two (2) years after approval of preliminary plat, unless an extension is requested from and granted by the Planning and Zoning Board. 'Substantially complete' means the commencement and diligent prosecution of construction and installation of required improvements to completion. If construction activity and development ceases for a period of two (2) years, the approval is void and the applicant must file for a new approval and pay the current fee."

Due to the slow economy, the applicant needs additional time to complete the project.

Staff recommends approval of the two-year extension and plat transfer for PP-08-07-02.

CHARLOTTE COUNTY BUILDING AND GROWTH MANAGEMENT
Land Development

18500 Murdock Circle, Suite B208, FL 33948
Phone: 941-764-4954 | Fax: 941-743-1292



Office: 941-625-1302
Fax: 941-625-1025
3745 Tamiami Trail
Port Charlotte, FL 33952

October 7, 2014

Mr. Steven A. Ellis, Planner II
Community Development Department
Zoning Division
18400 Murdock Circle
Port Charlotte, FL 33948

Re: PP-08-07-02, Tippecanoe Business Park

Dear Mr. Ellis:

Per our conversation several days ago I have enclosed check #1032 in the amount of \$973.00. I wish to extend the preliminary plat approval (\$370.00) and request a transfer of this property be transferred from Smith & Wester, Inc. to Tamiami Biscayne Properties LLC. (\$603.00).

These properties are part of ongoing litigation which should be concluded within the next few weeks. At that time the 2013 taxes will be paid in full to bring the account current.

Should you have any questions or concerns please contact either myself or Pam Capistrant at the number and address listed above.

Sincerely,

A handwritten signature in purple ink that reads 'Larry J. Bennett'.

Larry J. Bennett
Tamiami Biscayne Properties LLC

Enclosure

/p

CHARLOTTE COUNTY
Preliminary Plat Application Form
(Must have Preliminary DRC approval before submitting)

Date Received Preliminary: <u>July 16, 2008</u> Receipt #: <u>2001179</u>	Petition #: <u>PP-08-07-02</u> Amount Paid: <u>\$1,938.00</u>
---	--

Please provide the following with your preliminary application:

- ☒ Letter of intent
- ☒ Twelve (12) sets of proposed plans for your subdivision ' 24x36
- ☒ Filing Fee: \$1830.00 plus \$12.00 per lot (Final Plat fee will be due at filing Final Plat)
- ☒ 17 35 copies proposed plans on 11" x 17" paper
- ☒ Disk in PDF format of Proposed Plat, and all graphics submitted with application
- ☒ Copy of Preliminary DRC approval letter
- ☒ Disk in .DWG AutoCad format or .DXF universal cad format

1. Name of proposed subdivision: TIPPECANOE BUSINESS PARK
2. Name of applicant*: SMITH & WESTER, INC. Phone: (941) 628-0950
Address: 2432 MALAYA CT. City: PUNTA GORDA Zip: 33983
3. Name of local agent: GEORGE WESTER Phone: (941) 628-0950
Address: 2432 MALAYA CT City: PUNTA GORDA Zip: 33983
4. Owner(s) of record*: FIRST FINANCIAL EMPLOYEE LEASING Phone: _____
Address: 3745 TAMiami TRAIL City: PORT CHARLOTTE Zip: 33952
5. Land surveyor: KRIS A. SLOSSER Phone: (239) 947-1915
Address: 4650 VILLA CAPRI LANE City: BONITA SPRINGS Zip: 34134
6. Engineer: QUINCE SELLERS Phone: (941) 255-0655
E-Mail Address: quince.sellers@ Fax: (941) 255-1755
Address: 1777 TAMiami TRAIL City: PORT CHARLOTTE Zip: 33948
SUITE 206 WILSON MILLER, COM
7. Attorney: EDWARD WOTITZKY Phone: (941) 639-2171
Address: 223 TAYLOR STREET City: PUNTA GORDA Zip: 33950

* Any person or entity holding real property in the form of a partnership, limited partnership, corporation, trust, or in any form of representative capacity whatsoever for others, shall in this application disclose the name and address of every person having a beneficial interest in the real property however small and attach list to this application.

8. Property Location: Section 15 Township: 40 S Range: 21 EAST

Legal Description of Property: (do not put see attached) BEING BOUNDED ON THE NORTH BY THE SOUTH BOUNDARY
LINE OF PORT CHARLOTTE SUBDIVISION SECTION 57, ACCORDING TO THE PLAT THEREOF
RECORDED IN PLAT BOOK 5, PAGES 71-A THRU 71-C, OF THE PUBLIC RECORDS OF CHARLOTTE
COUNTY, FLORIDA; ON THE EAST BY THE WESTERLY RIGHT-OF-WAY LINE OF BISCAYNE DRIVE;
ON THE WEST BY THE EAST RIGHT-OF-WAY LINE OF EASTWIND WATERWAY; AND ON THE SOUTH
BY THE NORTHERLY BOUNDARY OF THE SEABOARD AIRLINE RAILROAD RIGHT-OF-WAY.

Property ID# (required) 0070378-003740-6, 0070378-003600-5, 15
0070378-003700-5

9. Has an administrative interpretation of the Comprehensive Plan ever been applied for or received for subject property or proposed development? (e.g., Vested Rights, Future Land Use Map Boundary Clarification, Representations Previously Made, Deed Restrictions, Sales Maps, or Master Plan Maps, or Master Plan Maps Registered with the State Division of Land Sales). If so, PLEASE PROVIDE A COPY OF THIS INTERPRETATION.

Date: N/A

Type: _____

Has this property been the subject of a public hearing within the last six (6) months?

 Yes ✓ No If yes, in whose name: _____

Petition number: _____

Hearing Held by:

Date:

 Board of County Commissioners _____

 Planning and Zoning Board _____

 Development Review Committee (DRC) _____

(attach all Department comments and decision letters)

PLEASE ATTACH COPY OF MINUTES OR NOTICE OF DECISION

10. Has this property been platted before?

✓ Yes No If yes, in what name: PORT CHARLOTTE SUBDIVISION

Date Recorded: _____

SECTION 57

Has the previous plat been vacated? ✓ Yes No

11. Future Land Use Map Designation: COMMERCIAL CENTER
 Existing zoning: COMMERCIAL GENERAL
 Number of lots allowed: _____ Number of lots proposed: 10
 Minimum lot size: 35,873 SF. Minimum lot dimension: 245.2' x 205.2
 Total acreage: 17 ACRES Total Density: _____
12. Type of proposed development:
 _____ single family _____ mobile home
 _____ multi-family ✓ commercial
 _____ industrial _____ planned development
13. Will the proposed development require any rezoning? Yes _____ No ✓
 If yes, please indicate proposed zoning: _____
14. Has any variance, exception, or special permit concerning this property been granted by the Board of Zoning Appeals? Yes _____ No ✓
 If yes, please specify: _____

15. Is any variance from the subdivision requirements anticipated or requested: Yes _____ No ✓
 If yes, please specify: _____
16. Is this proposed plat part of a Development of Regional Impact (DRI)? Yes _____ No ✓
 If yes, name the DRI and specify how this plat complies with the DRI development approval:

17. Is the proposed subdivision located within a flood hazard zone as established by F.E.M.A.?
 Yes ✓ No _____ If yes, please specify: FLOOD ZONE "AE" BASE FLOOD ELEVATION
= 8' N.G.V.D.
18. What is the proposed minimum elevation of road crown and of the lots?

Road: 7.33' feet above mean sea level Lot: 7.7' feet above mean sea level

Existing elevation ranges from an average low of 4.6' to an average high of 17.1' feet above mean sea level _____.

Elevations based on ☒ NGVD -1929 ☐ NGVD-1988

19. What type of sanitary water and sewer facilities are proposed?

- a. _____ septic tanks
- b. ☒ centrally collected and treated sewer
- c. _____ wells
- d. ☒ treated and centrally distributed water
- e. _____ if "d" is checked, hydrants and 6" line is required as minimum

20. ☒ Provide letter of availability from each utility for water and sewer service. Applicant is to provide a notarized developer's letter of intent as required by C.C.C. Sec. 3.7.56 (1) Article III.

21. If any combination of proposed utilities using wells and/or septic tanks are proposed, please attach a statement from the Charlotte County Health Department verifying that the systems are acceptable based on the proposed subdivision.

22. Has applicant requested any soil survey from the Soil Conservation Department? Yes _____ No ☒

23. Has applicant made initial contact with the Charlotte County Engineer? Yes ☒ No _____
If private roads are proposed a letter from the County Engineer approving the design concept of the roads is required.

a. The rights-of-way for this proposed subdivision are to be:

- | | |
|--|---|
| _____ dedicated | <input checked="" type="checkbox"/> private |
| <input checked="" type="checkbox"/> paved to County specifications | _____ paved not to County specifications |
| _____ unpaved | _____ existing dedicated roads |

24. ☒ Provide a written description of any environmental conditions existing on the site including flora and fauna. The County may require additional information including a professional report.

25. Do any natural bodies of water exist on property? Yes _____ No ☒

If yes, please state if it is tidal: _____

26. Is any excavation in any form proposed? Yes ☒ No _____

If yes, please indicate the type (canal, lake, etc.,) and proposed use (navigable, drainage, scenic, etc.):

DETENTION POND'S

27. Will the resultant water be fresh, brackish, or salt? FRESH

If fresh, has applicant provided for control of aquatic weeds? Explain: NO

28. Is the proposed subdivision to be developed in phases or is it all to be developed initially?

PHASES

29. Is the subdivision to be developed prior to the filing of the final plat? Yes ☒ No ☐ If no, is it the desire of the applicant to post a bond acceptable to the Board of County Commissioners under conditions of the Charlotte County Subdivision Regulations?

AFFADAVIT

I, the undersigned, being first duly sworn, depose and say that I am the owner, attorney-in-fact, agent or lessee of the property described and which is the subject matter attached of the proposed hearing, that data and other supplementary matter attached to and made part of the application, are honest and true to the best of my knowledge and before a hearing can be held, and that I am authorized to sign this application by the owner, or owners.

GEORGE WESTER

Print Applicant or Authorized Agent Name

[Signature]
Signature of Applicant or Authorized Agent

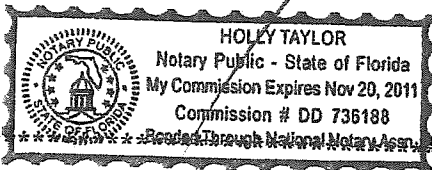
724C W236-301-51-057-0

Sworn and subscribed before me this 16 day of

July, 2008.

My commission expires: Nov, 20, 2011

[Signature]
NOTARY PUBLIC




***** Board Through National Notary Assn *****

AGENT AUTHORIZATION

To Whom It May Concern:

I certify that I am the owner, or an officer of the owner of property identified by the Charlotte County Property Appraiser as Property Account #'s 00703780037005, 00703780036005, and 00703780037406 located in Section 15, Township 40 S, Range 21 E, Charlotte County, Florida and I hereby authorize Smith & Wester, Inc. (George Wester, President) to act as my agent and sign applications and correspondence on my behalf in obtaining permits from local and state regulatory agencies in the State of Florida.



Signature

BRUCE T. SMITH CEO.

Printed Name & Title

First Financial Employee Leasing, Inc.

2/12/2008

Date

**Project Narrative
Tippecanoe Business Park**

The subject property consists of approximately 17.03± acres and is located in Section 15, Township 40 South, Range 21 East, at the northwest corner of the intersection of State Road 776 (El Jobean Road) and Biscayne Drive in eastern Charlotte County and is owned by First Financial Employee Leasing, Inc.

The property is zoned commercial general. The existing land use is vacant commercial. The proposed land use is commercial. The future land use designation is commercial center.

This application proposes to develop this parcel of land in phases into a commercial business park which includes an on-site surface water management system that discharges into the Eastwind Waterway. The proposed project entails the phased construction of a commercial business park on the 17± acre parcel with ingress/egress from Biscayne Drive as shown on the enclosed Site Development Plans. The enclosed Master Site Plan identifies the intended uses for the site which include a large multistory office building, a multistory hotel, restaurant, bank, convenience store/gas station, and other retail/professional office space. Sewer and water utilities for the site are proposed to connect to existing sewer and water utilities along or near the project site.

The total project area is 20.26± acres which includes 3.23± acres of offsite area to provide for the construction of two driveway accesses from the property onto Biscayne Drive, a sidewalk along the west right-of-way line adjacent to the project, a turn lane for Biscayne Drive, a turn lane for State Road 776, and the installation of water and sewer lines within the Biscayne Drive right-of-way.

The first phase of construction will include the construction of the offsite improvements, driveway accesses to the project site, internal road & driveway access to each of the proposed commercial parcels, water and sewer mainline installation, detention ponds, final outfall structure, onsite perimeter grading, and select internal grading, such that the required water quality treatment and discharge for the proposed development will be provided at the completion of this phase. Therefore the subsequent phases will be infill within the perimeter of the development with construction of service connections for the utilities, final grading and paving of the infill parcels and extension of the internal drainage system in accordance with the master plan.

Environmental Considerations Tippecanoe Business Park

The site is largely a Pine Flatwoods community which has been affected by the disturbance associated with road and canal construction around its periphery. A strip of land on two sides, bordering SR 776 on the south edge of the project and the Eastwind Waterway on the west edge of the project, has been classified as spoil areas. These areas have obvious deposition of materials excavated when constructing both the road and the waterway and are dominated by Brazilian pepperbush (*Schinus terebinthifolius*). Other abundant species in the spoil areas include primrose willow (*Ludwigia peruviana*), dog fennel (*Eupatorium capillifolium*), willow (*Salix caroliniana*) on the fringe of the canal and roadside ditch, and saltbush (*Baccharis halimifolia*). As previously mentioned the interior of the site is pine flatwoods, dominated by a slash pine (*Pinus elliottii*) canopy which suffered extensive damage during the hurricane season of 2004. Also present but in lesser quantities in the canopy are live oak (*Quercus virginiana*) and cabbage palm (*Sabal palmetto*). The understory contains sand live oak (*Q. geminata*), rusty lyonia (*Lyonia ferruginea*), wax myrtle (*Myrica cerifera*), gallberry (*Ilex glabra*), shiny blueberry (*Vaccinium myrsinites*), and St. John's-wort (*Hypericum tetrapetulum*) among a continuous patchy saw palmetto (*Serenoa repens*) cover. The site is mapped as approximately fifty percent each of Wabasso sand, limestone substratum, and Oldsmar sand, neither of which area classified as hydric soils.

The site was inspected on numerous occasions between April and July of 2006 during which habitat observations were made and a tree inventory was completed by ecologists from Environmental Affairs Consultants, Inc. During the course of the tree inventory, each tree greater than four caliper inches was measured and recorded in accordance with the Charlotte County Tree Ordinance, thus resulting in a detailed site inspection. At no time was evidence of listed wildlife species utilization of the project site observed, nor is the site characterized by unique habitats which are specifically suited for utilization by listed species. The site is not identified by Charlotte County as a parcel requiring consultation with respect to the Florida scrub jay (*Aphelocoma coerulescens*). Recorded scrub jays calls were, however, broadcast throughout the project area during the preliminary site visits in April of 2006 and no response was observed.

Tippecanoe Business Park - Tree Inventory

Species	Caliper (in.)	Occurance	Total Caliper Inches
Oak	4	13	52
	5	52	260
	6	31	186
	7	25	175
	8	18	144
	9	12	108
	10	7	70
	11	10	110
	12	8	96
	13	8	104
	14	8	112
	15	1	15
	16	1	16
	17	5	85
	18	3	54
	19	1	19
	20	1	20
	21	2	42
Pine	4	6	24
	5	124	620
	6	118	708
	7	120	840
	8	115	920
	9	86	774
	10	101	1010
	11	71	781
	12	66	792
	13	46	598
	14	36	504
	15	29	435
	16	33	528
	17	19	323
	18	12	216
	19	6	114
	20	3	60
	21	4	84
Total # of Trees Inventoried Onsite		1,201	-
Total Inventoried Tree Caliper Inches		-	10,999



Scrub Jay Territory Search

Cautionary note: This database is information currently available and is subject to change; it has been documented that scrub jays can and will move outside of known occupied territories, and these newly identified properties would be subject to United States Fish and Wildlife Service review.

Consultation with United States Fish and Wildlife Service will involve providing information which is outlined on the application. An application link is provided for you:

<http://www.charlottecountyfl.com/EnvironmentalServices/naturalresources/ScrubJays/ScrubjayReviewPackageupdate022206.pdf>

If you need further clarification please call the United States Fish and Wildlife Service at 772-562-3909, or Charlotte County Natural Resources Division at 941-764-4360.

PID 00703780037406

Street Address 2775 EL JOBEAN RD

Unit

ZIP Code 33948

Scrub Jay status Your property does not fall into a currently occupied territory. No release by the Fish & Wildlife Service will be required.

[Search Again](#)

Need More Information? Use our [Department Listing and Contact Page](#).

Please report problems with this website to the [Charlotte County WebMaster](#).

Web Site of the Charlotte County Board of County Commissioners
Administrative Complex * 18500 Murdock Circle * Port Charlotte, Florida 33948 * 941.743.1200



Charlotte County Government

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January 17, 2008

R. Quince Sellers
Wilson Miller
1777 Tamiami Tr., Suite 206
Port Charlotte, FL 33948

Re: Water and Sewer Availability to: 2013 Biscayne Drive
ZZZ 154021 P5-3-1

Dear Mr. Sellers:

This letter is to confirm our understanding relative to the availability of water and sewer to the above referenced site location. Water and sewer may be made available to this site upon Extension of the Water Distribution and Wastewater Collection System as per the Uniform Extension Policy and upon fulfillment of each of the following conditions:

1. Developer shall be solely responsible for the design, funding, construction and installation of all required on-site and off-site water and sewer facilities necessary to provide service to Developer's site location, which may include up-grading existing water and sewer facilities in the area.
2. Developer shall secure all necessary regulatory approvals.
3. All Utility plans must be reviewed and approved by Charlotte County Utilities.
4. A Utility Agreement is fully executed by both parties and all appropriate capacity/connection fees are paid prior to the commencement of construction of any water and sewer facilities.
5. Sufficient water and sewer plant capacity exists at the time of connection.

No commitment expressed or implied shall be construed by this letter, nor shall one exist until a utility agreement has been fully executed by both parties and all fees paid, and necessary approvals by all of the required regulatory bodies have been obtained. This letter of confirmation is valid for 6 months from the date of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Cegerenko".

Alex Cegerenko
Engineering Project Manager

EXHIBIT 5-C-1

cc: File / CHRONO

RECEIVED
Wilson Miller

JAN 21 2008

UTILITIES

Administration | Business Services | Community Relations
Engineering Services | Finance | Operations
25550 Harbor View Road, Suite 1 | Port Charlotte, FL 33980-2503
Phone: 941.764.4300 | Fax: 941.764.4319

FOLDER# _____

06314-060-000



Charlotte County Government

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January 17, 2008

R. Quince Sellers
Wilson Miller
1777 Tamiami Tr., Suite 206
Port Charlotte, FL 33948

Re: Water and Sewer Availability to: 2775 El Jobean Road
ZZZ 154021 P6-2

Dear Mr. Sellers:

This letter is to confirm our understanding relative to the availability of water and sewer to the above referenced site location. Water and sewer may be made available to this site upon Extension of the Water Distribution and Wastewater Collection System as per the Uniform Extension Policy and upon fulfillment of each of the following conditions:

1. Developer shall be solely responsible for the design, funding, construction and installation of all required on-site and off-site water and sewer facilities necessary to provide service to Developer's site location, which may include up-grading existing water and sewer facilities in the area.
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Sincerely,

A handwritten signature in black ink, appearing to read "Alex Cegerenko".

Alex Cegerenko
Engineering Project Manager

cc: File 154021 P6-2
RECEIVED
Wilson Miller

JAN 21 2008

UTILITIES

Administration | Business Services | Community Relations
Engineering Services | Finance | Operations
25550 Harbor View Road, Suite 1 | Port Charlotte, FL 33980-2503
Phone: 941.764.4300 | Fax: 941.764.4319

FOLDER#



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January 17, 2008

R. Quince Sellers
Wilson Miller
1777 Tamiami Tr., Suite 206
Port Charlotte, FL 33948

Re: Water and Sewer Availability to: 2013 Biscayne Drive
ZZZ 154021 P5-3

Dear Mr. Sellers:

This letter is to confirm our understanding relative to the availability of water and sewer to the above referenced site location. Water and sewer may be made available to this site upon Extension of the Water Distribution and Wastewater Collection System as per the Uniform Extension Policy and upon fulfillment of each of the following conditions:

1. Developer shall be solely responsible for the design, funding, construction and installation of all required on-site and off-site water and sewer facilities necessary to provide service to Developer's site location, which may include up-grading existing water and sewer facilities in the area.
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A handwritten signature in black ink, appearing to read "Alex Cegerenko".

Alex Cegerenko
Engineering Project Manager

cc: File/CHRONO

RECEIVED
Wilson Miller

UTILITIES

Administration | Business Services | Community Relations
Engineering Services | Finance | Operations
25550 Harbor View Road, Suite 1 | Port Charlotte, FL 33980-2503
Phone: 941.764.4300 | Fax: 941.764.4319

JAN 21 2008

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Charlotte County Government

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July 20, 2007

Smith & Wester, Inc
Attn: George Wester
2432 Malaya Court
Punta Gorda Florida 33983

Ref: Tippecanoe Business Park (DRC-P-07-22)

This letter is to confirm the decision of the Development Review Committee meeting held July 19, 2007 regarding DRC-P-07-22 is requesting Preliminary Site Plan approval for Tippecanoe Business Park. This project consists of the Phase 1 construction of a 46,000 s.f. office building plus infrastructure for present and future development. This 17.03+/- acre site is located at the intersection of El Jobean Road and Biscayne Drive on Parcel P5-3 and Parcel P6-2 in Section 15, Township 40 South, and Range 21 East in Port Charlotte, Florida.

It is the decision of the Development Review Committee was to approve DRC-P-07-22 Preliminary Site Plan with the following conditions.

1. **The engineer shall add the following note to the site plan in a prominent location. "A right-of-way use permit will be required for all work within the public right-of-way. Specific stipulations or conditions will be imposed at the time of the permit application." Construction Services – Bill Searfoss**
2. The open cutting of Biscayne Boulevard, for the purpose of providing water and/or sewer to the site, will not be allowed. Alternate methods, such as directional or jack and bore shall be utilized. Construction Services – Bill Searfoss
3. The engineer shall add the following note, in bold type, to the drainage plan in the immediate location of the each proposed driveway. **"The driveway culvert size, sump and material are subject to change as a function of design requirements, future drainage projects or field conditions, as determined by Charlotte County Right-of-Way Department at the time of line and grade inspections." Construction Services – Bill Searfoss**
4. Off-site improvements to Biscayne Boulevard, including roadway improvements, as well as sidewalk installation, must be included and approved under the DRC process. Separate approval through the application of a detail plan or right-of-way permit, although allowed in the past, is unacceptable as this process does not allow the opportunity for the involvement of all departments to properly review these improvements within the context of the project. Construction Services – Bill Searfoss

EXHIBIT 3-A-1

Zoning

18500 Murdock Circle, B-105 | Port Charlotte, FL 33948-1068
Phone: 941.743.1964 | Fax: 941.743.1598

5. ***The following note shall be added to the plans:*** Given the magnitude of improvements that will be performed to construct proposed improvements to Biscayne Boulevard, to provide access to the site, including sidewalks and drainage improvements, the developer will post a check in an amount sufficient to cover the costs of inspection services necessary to ensure work performed within the right-of-way is performed in accordance with, and acceptable to, County and FDOT standards. This check would be used to cover costs incurred by Construction Management. At the time of permit application, the applicant shall provide a full set of construction plans, pertinent data indicating the length of contract time needed to perform the work, and the name of the contractor to perform the work. An estimated amount of inspection time will be calculated and an amount will be determined to cover those services. Should the length of time or hours needed to complete the inspection services exceed the estimate and posted amount, the permit holder by acceptance of the permit conditions, will be charged and agrees to reimburse Charlotte County any additional costs incurred. No work shall commence until this check is posted and no CO will be given until any outstanding monies due the County are settled. Construction Services – Bill Searfoss
6. For those improvements proposed on Biscayne Boulevard, the applicant shall identify all critical points, (i.e. start of project, end of project, beginning of tapers, end of tapers, p.c.'s, p.t.'s, etc.) by station and offset. This information will hold true for all striping proposed also. Construction Services – Bill Searfoss
7. The applicant shall provide on minimum 100' stations, typical cross-sections of the existing and proposed improvements along Biscayne Boulevard. These cross-sections shall show existing, as well as design grades for centerline and edge of pavement, swale grades (both sides) front and back slope percentages, etc. Construction Services – Bill Searfoss
8. Biscayne Boulevard is classified as and "Urban/Rural Major Collector", which requires the pavement section to be as follows: Construction Services – Bill Searfoss
 - 12" Stabilized Sub-grade, minimum LBR 70 to 98% density, per AASHTO T-180. Sub-grade shall extend a minimum of 1' beyond pavement edge. Construction Services – Bill Searfoss
 - 10" Limerock, Shell-rock or Bank-Run Shell. Base shall extend a minimum 6" beyond pavement edge. Construction Services – Bill Searfoss
 - 3" Type S Structural Course. Construction Services – Bill Searfoss
 - 1½" Type S-III Wearing surface. Construction Services – Bill Searfoss
9. The addition of turn lanes on Biscayne Boulevard will require that Ordinance 88-24 be enforced. This is to obliterate all existing striping and correct any profile deficiencies on the roadway, which will be in conflict with the improvements. Construction Services – Bill Searfoss
10. Upon completion of all improvements to Biscayne Boulevard, the initial striping shall be accomplished by paint. After a 30-day "curing" period, the roadway will then be restriped in Thermoplastic along with placement of all reflective pavement markers (RPM's). Construction Services – Bill Searfoss
11. All sidewalk placements within the County rights-of-way will be constructed to County standards. Copies of these standards and details may be obtained from the Public Works Department, upon request and will be included in the plans. The frequency of expansion joints will be every 32' rather than that identified on the plans or stipulated by FDOT

standards. Although not shown on the plans, a tactile surface meeting current FDOT standards will be constructed for an ADA crossing at the two driveways. This work will be performed under the supervision of Public Works inspectors. Failure to obtain the right-of-way permit and properly notify and coordinate these inspections will result in non-acceptance of the work and will be removed and replaced, as specified. Construction Services – Bill Searfoss

12. Crosswalks along Biscayne Boulevard must be changed to show two perpendicular lines, not as presently shown. This shall apply for both drives. Construction Services – Bill Searfoss
13. Future comments may be forthcoming with the submission of more detailed plans. Construction Services – Bill Searfoss
14. Any encroachments (including landscaping, etc.) into the 20' wide Canal Maintenance Easement, or the 50' wide Bicycle Path/Utility Easement, will require an Occupation of Easement. Contact Debbie Alexander, Real Estate Services at 941.206.3743 for application details. Real Estate Services – Debbie Alexander
15. The survey data in this submittal is a copy, rather than an original signed and sealed document. This is a violation of Florida Administrative Code 61G17-6. The surveyor has a statement on the bottom of each sheet: Survey – Ed McDonald
 - "Unless it bears the signature and original embossed seal of a Florida Licensed Surveyor and Mapper, this sketch, plat, or map is not valid." Survey – Ed McDonald
16. A SWFWMD permit or a No-Permit Required letter shall be provided to Public Works for the improvements to Biscayne Boulevard. If a permit is required, the following is our Operating Agreement with the District: Stormwater – John DeGiovine
Operation Agreement

A private developer is building a project in a County right-of-way, and will turn the entire project and its Stormwater Management System over to the County at a future date: In this situation, the County will normally grant the necessary construction easement (or right-of-way use approval) for the private developer to do the construction in the County's right-of-way. The County, as property owner, can request, in writing, that the District issue the ERP to the developer. The District will copy the County on the permit, and as Permittee, the Developer will be the one who is required to submit the Statement of Completion and as-built drawings for the project. During the Statement of Completion and as-built submittal, the Permittee (Developer) can request that the entire permit and its operation and maintenance requirements be assigned to the County. Stormwater – John DeGiovine

Page 2 of 3 (Part 4) of the Statement of Completion form has the space to allow the County to assume such responsibility, by signature of a County official. Note that this scenario allows the County the advantage of having the District review the as-built drawings for the project for sufficiency with District rules, prior to the County actually accepting the permit responsibility from the developer. Stormwater – John DeGiovine

17. Please verify that the swale improvements along Biscayne Boulevard have positive gradient to its eventual outfall. Stormwater – John DeGiovine
18. An electronic copy of any finalized public Right of way improvement plans associated with, and required as part of the development plan, must be provided to Public Works Administrative Services Department. Acceptable media include CD or DVD and must be provided in both DXF and PDF Format. As an alternate to providing the media, an e-mail of both the DXF and PDF formats will be acceptable; however, the files must be less than 2

megs and can be e-mailed to Publicworksadminservices@charlottefl.com. Stormwater – John DeGiovine

19. Need to add double yellow lines at stop bars. Transportation Engineering – Gary Grossman
20. Based on the traffic impact statement from FTE, the developer should meet with Charlotte County Public Works officials to determine what sort of scheduling for LOS monitoring would be appropriate and a methodology for funding their share of this future intersection improvement. Lighting District – Glenn Bond
21. The Charlotte County Lighting District maintains traffic signal roadway lighting and fiber optic communications facilities in the SR 776 right-of-way. Lighting District – Glenn Bond
22. Any alteration, relocation or repair, whether identified prior to construction or unforeseen, made necessary by this development will be made by Charlotte County to all applicable standards at the developer's expense. Lighting District – Glenn Bond
23. In the event a fiber optic cable is cut or damaged, a splice will not be permitted. The fiber optic cable shall be completely replaced from point-to-point. Lighting District – Glenn Bond
24. Point-to-point is defined as the closest original termination, splice point, or closest signal controller to the next signal controller cabinet within the run. A Certificate of Occupancy shall not be issued until Charlotte County Lighting has either determined that no damages have occurred to their facilities or until they are fixed to our satisfaction and all costs related to the damage have been paid in full. Lighting District – Glenn Bond
25. If the developer's intent is to sell individual parcels, the property will have to be platted as ownership parcels. Survey – Ed McDonald
26. Need another fire hydrant at the North driveway off of Biscayne Drive.
27. The applicant must provide five (5) copies of a landscape plan that complies with Chapter 3-5, Article XVIII, Landscaping and Buffer Requirements, of the County Code prior to Final (Major Modification) DRC approval. Comments specific to the landscape plan have been provided to Michelle Scranton, RLA.
28. Duplicate 3-5-398 (Irrigation Design Standards).
29. Provide minimum sizes for all plants and trees. Building perimeter areas included in interior landscape calculations but not shown as landscape in landscape plans.
30. Identify any proposed or existing utilities on the site on landscaping plan.
31. Loading zone must be separated from parking with a code minimum landscaped island.
32. Review sight triangle requirements. Sight triangles not drawn from property line. Include note for maintenance of area within site triangles if planted.
33. Revise note for tree barrier to meet minimum code requirements. 3-2-191 (4).
34. Every parking island must contain at least one tree.
35. Northern side of site requires a minimum of a C buffer because it abuts RSF zone. Perimeter planting provided. Provide C buffer.

36. All Brazilian pepper, melaleuca, Australian pines and downy rose myrtle must be removed from the site (Section 3-5-397 of the landscape requirements.)
37. All trees that are to be preserved or removed must be in accordance with Chapter 3-2, Article IX, Tree Requirements, of the County Code. Tree Removal Authorization, Tree Preservation, and a Memorandum of Exemption of Fees permits are required prior to any land clearing activity or the issuance of building permits.
38. Further review will be necessary upon submittal of revised landscape plans.
39. All revisions made to the landscape plan should be clearly identified on the plans (by clouding the revision or other similar identification) in addition to written explanations.
40. Revised plans must be received by the Landscaping Section no later than Monday, prior to the scheduled DRC meeting in order to be reviewed for the meeting.
41. The applicant must submit a Florida Land Use, Cover and Forms Classification System (FLUCCS) Map and listed species survey. All required Florida Fish and Wildlife Service (FWS) and Florida Fish and Wildlife Conservation Commission (FWCC) permits must be provided to staff prior to final DRC approval and the issuance of county permits and land clearing activities.
42. The applicant must submit an approved Southwest Florida Water Management District (SWFMD) Environmental Resource Permit (ERP) and possible US Army Corps of Engineers permit prior to final DRC approval and the issuance of county permits and land clearing activities. Final DRC approval shall reflect all SWFMD conditions.
43. The project must comply with Chapter 3-5, Article IV, Clearing, Filling and Soil Conservation requirements of the County Code. Best Use Management Plans must be documented on final plans and utilized during all land clearing and development activities.
44. The project must comply with Chapter 3-5, Article XVI, Open Space/Habitat Reservation Trust requirements of the County Code. After review of the requested FLUCCS Map and listed species survey and given the absence of preservation of habitat for use by listed species the applicant may need to contribute an equal amount of \$300 per acre or fraction thereof, to the Open Space/Habitat Reservation Fund for a total of \$5400.00 based on a project size of ± 17.03 acres prior to the issuance any county permit or land improvement activities.
45. Demonstrate compliance with Chapter 3-5; Article XXIV titled Commercial Design Standards and the building height portion of Section 3-9-42(f). Submit building elevation views with building heights shown in NGVD and a commercial design worksheet.
46. Per Section 3-5-513 and Chapter 1-12; Article VI show your dumpster screening design.
47. Dumpsters cannot generally be located behind loading zones. Choose one of the following:
 - Since loading zones are not required for office use, re-label your loading zone as a service area.
 - Re-locate your dumpster.
48. Per Chapter 11; Section 11-4.1.2(1) of the Florida Building Codes show your internal handicapped accessible route for your most northern handicapped parking space.

Development Review Committee
DRC-P-07-22
July 20, 2007

49. Per Chapter 11; Section 11-4.2.2(2) of the Florida Building Codes show your external handicapped accessible route

This site plan approval shall be valid for 12 months. If you wish to request a one time, 12 month extension you must do so in written form 30 days prior to the expiration date. The current fee for such an extension is \$245.00

Sincerely,



Buddy Braselton
Planner II

BB/dac